

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHRISTIAN PAULINO d/b/a MY NEIGHBORS
GROCERY STORE,

Plaintiff,

-v-

UNITED STATES OF AMERICA and
UNITED STATES DEPARTMENT OF
AGRICULTURE,

Defendants.

Case 1:21-cv-03863-ARR-JRC

STIPULATION AND ORDER
STAYING PLAINTIFF’S
DISQUALIFICATION FROM THE
SUPPLEMENTAL NUTRITION
ASSISTANCE PROGRAM PENDING
FINAL DISPOSITION

WHEREAS Plaintiff CHRISTIAN PAULINO d/b/a MY NEIGHBORS GROCERY STORE (“Plaintiff”) has filed a Complaint dated July 9, 2021 seeking to enjoin and restrain Defendants United States of America and the United States Department of Agriculture (collectively, “Defendants” or the “USDA”) from temporarily disqualifying Plaintiff, for a period of six months, from the Supplemental Nutrition Assistance Program (“SNAP”); and

WHEREAS the USDA has agreed to a stay of the administrative action to temporarily disqualify Plaintiff from participating in the SNAP until final disposition of this action, without prejudice to USDA’s right to move to vacate the stay upon further case developments or changed circumstances;

IT IS HEREBY STIPULATED, CONSENTED, AND AGREED by and between Plaintiff and the USDA, by their respective undersigned attorneys, that:

1. The USDA agrees to stay its June 14, 2021 decision disqualifying Plaintiff from participating in SNAP during the pendency of this action (the “Stay”), without prejudice to USDA’s right to move to vacate the Stay upon further case developments or changed

circumstances. The Stay will be in effect until the Court issues a final decision in this action; however, the Stay will not remain in effect during the duration of any appeals.

2. During the Stay, Plaintiff shall abide by, and be governed by, all the rules and regulations of the SNAP in the same manner as Plaintiff would have been required to do had the disqualification not taken place.

3. The USDA's agreement to Stay Plaintiff's disqualification from the SNAP during the pendency of the above-captioned action shall not in any manner be construed to be a concession of liability (or a concession that the subject disqualification was improper or unlawful in any way), nor shall the Stay limit the USDA's right to oppose Plaintiff's claims and the relief sought in its complaint filed in the above-captioned action.

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Dated: July 16, 2021
New York, New York

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EASTERN District of New York
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Dated: July 15, 2021
New York, New York

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SO ORDERED:

HON. ALLYNE R. ROSS
United States District Judge

Dated: _____